

GRANADA SANITARY DISTRICT

OF SAN MATEO COUNTY

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MINUTES

SPECIAL BOARD OF DIRECTORS MEETING

April 29, 2002

CALL TO ORDER: The special meeting was called to order at 2:10 p.m. by Board President Bill Katke at the District Office in El Granada.

ROLL CALL: Attending Directors were: President Bill Katke, Vice President Leonard Woren, Board Member Shawn McGraw and Secretary Fran Pollard arrived at 2:18 p.m. Attending staff were: Legal Counsel Jonathan Wittwer and Administrator Gina Holmes.

PLEDGE OF ALLEGIANCE: All present recited the Pledge of Allegiance.

GENERAL PUBLIC PARTICIPATION: The following members of the public addressed the Board:

Kathryn Slater-Carter, Montara Sanitary District Board President: she announced a study session on the Local Coastal Program (LCP) update.

STUDY SESSION:

1. Study Session Regarding Draft Ordinance: "An Ordinance Establishing Service Area Boundaries and Dividing District into Rural and Urban Zones as Required by San Mateo County Local Coastal Program":

District Counsel Jonathan Wittwer provided a report and background on establishing service area boundaries and urban and rural zones. This report was based on his memo to the Board dated April 26, 2002. He clarified for the Board and for the public that this was a study session only and no Board action will be taken. He stated that the May 16, 2002 meeting is the next time this topic would be addressed. Wittwer noted that the County Counsel and the Harbor District Counsel had called him on April 4, 2002 and he was not able to return their calls and address their concerns on the 4th. He stated that the County Counsel was primarily concerned about obtaining sewer service to the Mirada Surf parcel and that the Harbor District Counsel was concerned that the Harbor District not be precluded from connecting to the sewer on their properties.

Greg Antone, member of the public: spoke regarding questions he had about the District Service Area map that WHICH IS (LW) attached to the Draft Ordinance.

There was a discussion between Board members, Jonathan Wittwer and members of the public regarding this map and its origins. Wittwer recommended that this map identified as "Rural Designated Lands in the Urban Area" be used with the Ordinance,

since it was the one submitted to the Coastal Commission in which the Urban and Rural service zones were defined.

There was a brief discussion between Director Woren and District Counsel Wittwer regarding what was considered a “taking” and the economic uses of property that were part of the “taking”.

Greg Antone, member of the public: spoke, requesting that the Board delay decisions on the ordinance, since rezoning issues would be taken up in the Local Coastal Program (LCP) update. Following further discussion on the Map origins and its consistency with the LCP, he asked how the Board would deal with pending building permits that were in a rural service area.

Wittwer replied that the Board has legal authority to consider establishing a process of applying for exceptions to the Ordinance, as they did with the Grandfathering Program following the approval of Ordinance No. 139. A discussion between members of the Board and members of the public followed regarding the nature of service to the designated rural lands, and the legal specifications for service in the LCP. It was pointed out that the GSD Board has discretion regarding its decisions since it is a separate elected body and they have a right to make their decisions based on advice from Counsel. District Counsel Wittwer suggested that the District could work with County Counsel to have property owners directed to the GSD to insure that development is appropriate for the zoning of a particular property. The following member of the public spoke:

Jullian McCurrah, representative of Princeton Citizen’s Advisory Committee (PCAC): he stated that if people were told and the County assured that they could build on their property, then the GSD and County Counsel should work together on a system and have a County and District liaison to work on development issues.

Wittwer stated that he has been in contact with County Counsel and that they have been working in a liaison manner.

Director Katke asked District Counsel what the ramifications would be if the Board adopted the Ordinance’s urban-rural service designation vs. the District not taking action. Wittwer stated that the ordinance would bring the District into compliance with the LCP, and that GSD service would be consistent with the urban-rural zoning.

The Board and District Administrator Gina Holmes discussed the mailing list that would be used to inform property owners and interested members of the public about the May 16, 2002 meeting. The Board clarified that the list was complete, and the documents would be mailed to those who had requested it.

Paul Perkovic, Montara Sanitary District: spoke from the audience, noting that three small PAD parcels were missing from the list.

Holmes stated she would follow up and add the parcel owners to the mailing list.

Following this discussion District Counsel Wittwer recommended that District Ordinance No. 140, which allows property owners who are applying for variances should be forwarded to the County and mentioned in the press release that would be written regarding Ordinance No. 139.

Wittwer further clarified, following public questions, that regarding intention of the Board, or action of the Board, that they may apply any new regulation or change specifications for a sewer connection permit any time before the permit is issued. That is according to the Health and Safety code.

The Board determined that Ordinance No. 140 would allow property owners within the rural zone to submit a sewer connection permit application before they began the County planning process. The following member of the public spoke:

Jullian McCurrah, representative of PCAC: urged the Board to delay making a decision on this Ordinance, since the LCP would be undergoing changes and there might be modifications to the zoning designations.

Director Woren stated that this was not a factor is considering the Ordinance, a County-wide vote was required to change the designation of rural and urban service areas. He stated that if there were zoning changes in the future the Board could deal with them then and could pass the Draft Ordinance in the meantime. District Counsel Wittwer suggested that the Board could decide at the May 2 Board meeting, when it came to setting the future agenda for the May 16 meeting, if they wished to consider approving the Urban-Rural Service Zone Draft Ordinance.

ON MOTION TO ADJOURN by Director Pollard, and unanimously voted by the Board the meeting adjourned at 4:59 p.m. (Pollard/McGraw, 5-0)

Submitted on: May 9, 2002

Approved on: May 16, 2002

SUBMITTED & TRANSCRIBED BY:
Leisa Bretz, District Clerk, as dictated
by Gina Holmes, Administrator

APPROVED BY:
Fran Pollard, Board Secretary